

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MICHIGAN
NORTHERN DIVISION

CLEOTIS L. JOHNSON #252308,

Plaintiff,

Case No. 2:19-CV-93

v.

HON. GORDON J. QUIST

SHERI NEWCOMB, et al.,

Defendants.

ORDER ADOPTING REPORT AND RECOMMENDATION

This is a civil rights action brought by state prisoner, Cleotis L. Johnson, pursuant to 42 U.S.C. § 1983. On August 16, 2022, U.S. Magistrate Judge Maarten Vermaat issued a Report and Recommendation (R & R), recommending that the Court (1) grant Defendant's motion for summary judgment with respect to Plaintiff's free exercise of religion claim; (2) deny the motion with respect to Plaintiff's equal protection and retaliation claims; and (3) decline to exercise supplemental jurisdiction over Plaintiff's state law claims. (ECF No. 127.) Neither party filed an objection to the R & R within 14 days. *See* 28 U.S.C. § 636(b). Having reviewed the R & R, the Court will adopt it as the Opinion of the Court.

Accordingly, IT IS HEREBY ORDERED that the August 16, 2022, Report and Recommendation (ECF No. 127) is **adopted** as the Opinion of the Court.

IT IS FURTHER ORDERED that, for the reasons set forth in the R & R, Defendant's motion for summary judgment (ECF No. 115) is **GRANTED** with respect to Plaintiff's free

exercise of religion claim and **DENIED** with respect to Plaintiff's equal protection and retaliation claims.

IT IS FURTHER ORDERED that the Court declines to exercise supplemental jurisdiction over Plaintiff's state law claims. Therefore, Plaintiff's state law claims are **DISMISSED WITHOUT PREJUDICE**.

Dated: September 6, 2022

/s/ Gordon J. Quist

GORDON J. QUIST
UNITED STATES DISTRICT JUDGE